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6 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

7 SANDRA M. MEZA-PEREZ an Individual,

8 Plaintiff,

9 vs.

10 SBARRO LLC dba SBARRO PIZZA, a  
foreign limited liability company, SBARRO  
11 INC., dba SBARRO PIZZA a foreign  
corporation, ZACHARY CEBALLES, an  
12 individual, EFRAIN HERNANDEZ, an  
individual, JESUS ALATORRE, an  
13 individual,

Defendants.

**CASE NO.: 2:19-cv-00373-APG-EJY**

**MOTION TO EXTEND TIME FOR  
PLAINTIFF TO FILE REPLY BRIEFS  
IN SUPPORT OF HER POST-TRIAL  
MOTIONS [ECF NOS. 434 – 440]**

**(SECOND REQUEST)**

14 Plaintiff, Sandra M. Meza-Perez, by and through her counsel of record Jenny Foley,  
15 Ph.D., Esq. of HKM Employment Attorneys LLP, hereby Requests an Extension to File Reply  
16 Briefs in Support of Plaintiff's Post-Trial Motions.

17 **I. PROCEDURAL HISTORY**

18 On October 4, 2022, Plaintiff filed the following post-trial motions: 1) Renewal of Her  
19 Motions for Reconsideration and Clarification of This Court's Prior Order on Summary  
20 Judgment Dismissing Her Claims for Negligent Hiring, Negligent Supervision and Negligent  
21 Retention [ECF No. 434]; 2) Motion for New Trial Pursuant to FRCP 59(A) [ECF No. 435]; 3)  
22 Rule 50(b) Renewed Motion for Judgment as a Matter of Law [ECF No. 436]; 4) Motion for  
23 Dispositive Sanctions Based Upon Sbarro and Ceballes' Spoliation of Evidence and Requesting  
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1 Alternate Relief Under FRCP 50(B) for Judgement as a Matter of Law in Plaintiff's Favor  
 2 and/or a New Trial, Under FRCP 59(A) for a New Trial, and/or Under FRCP 60(B)(1) and (3)  
 3 for Relief from the Judgment [ECF No. 437]; 5) Motion for Dispositive Sanctions Based Upon  
 4 Sbarro and Ceballes' Spoliation of Evidence and Requesting Alternate Relief Under FRCP  
 5 50(b) for Judgement as a Matter of Law in Plaintiff's Favor and/or a New Trial, Under FRCP  
 6 59(a) for a New Trial, and/or Under FRCP60(b)(1) and (3) for Relief from the Judgment [ECF  
 7 No. 438]; 6) Motion for Dispositive Sanctions Based Upon Sbarro and Ceballes' Spoliation of  
 8 Evidence and Requesting Alternate Relief Under FRCP 50(b) for Judgement as a Matter of Law  
 9 in Plaintiff's Favor and/or a New Trial, Under FRCP 59(a) for a New Trial, and/or Under  
 10 FRCP60(b)(1) and (3) for Relief from the Judgment [ECF No. 439]; and 7) Motion for  
 11 Dispositive Sanctions Based Upon Sbarro and Ceballes' Spoliation of Evidence and Requesting  
 12 Alternate Relief Under FRCP 50(b) for Judgment as a Matter of Law in Plaintiff's Favor and/or  
 13 a New Trial, Under FRCP 59(a) for a New Trial, and/or Under FRCP60(b)(1) and (3) for Relief  
 14 from the Judgment [ECF No. 440].

15 On October 18, 2022, Sbarro filed the following responses to Plaintiff's post-trial  
 16 motions: 1) Opposition to Plaintiff's Renewal of Her Motions for Reconsideration and  
 17 Clarification of This Court's Prior Order on Summary Judgment Dismissing Her Claims for  
 18 Negligent Hiring, Negligent Supervision and Negligent Retention [ECF No. 441]; 2)  
 19 Opposition to Plaintiff's Rule 50(b) Renewed Motion for Judgment as a Matter of Law [ECF  
 20 No. 442]; 3) Consolidated Opposition to Plaintiff's Motion for Dispositive Sanctions Based  
 21 Upon Sbarro and Ceballes' Spoliation of Evidence and Requesting Alternate Relief Under  
 22 FRCP 50(b) for Judgment as a Matter of Law in Plaintiff's Favor and/or a New Trial, Under  
 23 FRCP 59(a) for a New Trial, and/or Under FRCP60(b)(1) and (3) for Relief from the Judgment  
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1 [ECF No. 443]; and 4) Opposition to Plaintiff's Motion for New Trial Pursuant to FRCP 59(A)  
2 [ECF No. 444]. On October 18, 2022, Ceballes joined each of Sbarro's responses to Plaintiff's  
3 post-trial motions [ECF Nos. 445-448].

4 Accordingly, Plaintiff's reply briefs in support of her post-trial motions were due on  
5 October 25, 2022. However, on October 25, 2022, the parties stipulated and agreed that Plaintiff  
6 would have until Monday, October 31, 2022, to file her reply briefs and filed a stipulation and  
7 order that reflected this stipulation and agreement [ECF No. 449]. Shortly thereafter, on October  
8 26, 2022, the Court signed the stipulation and order [ECF No. 450].

## 9 II. LEGAL ARGUMENT

10 Pursuant to LR IA 6-1, this is the second request for an extension of time for Plaintiff  
11 to file her reply briefs in support of her post-trial motions. Plaintiff's counsel makes this  
12 request for good cause, and not for the purpose of delay, as Plaintiff's counsel is still  
13 addressing a family emergency. A declaration from Plaintiff's counsel, Jenny L. Foley, Ph.D.,  
14 Esq., is attached hereto as Exhibit 1. Additionally, since these are post-trial motions, there is  
15 little chance of prejudice if the extension is granted.

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In view of the foregoing considerations, herein Plaintiff requests the Court to grant an extension, up to and including November 7, 2022, in which to file Plaintiff's reply briefs in support of her post-trial motions.

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Dated: November 1, 2022

  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE